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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 2nd meeting
Held at Headquarters, New York, on Monday, 2 October 2006 at 3 p.m.

Chairman: Mr. Acharya ..... (Nepal)

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The meeting was called to order at 3.15 p.m.

Agenda item 35: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/61/23, chaps. VII and XII, and A/61/70)

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Agenda item 39: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/61/23 and A/61/121)

1. **The Chairman** recalled that the cause of decolonization had been one of the defining issues of the latter part of the twentieth century. Owing to the untiring efforts of the United Nations, most of the world's population was no longer under colonial rule. Nevertheless, 16 Non-Self-Governing Territories remained on the United Nations list. It was therefore vital to maintain the momentum and complete the task of decolonization in the shortest possible time.

2. **Mr. Ja'afari** (Syrian Arab Republic), speaking in his capacity as Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, introduced the Special Committee's report (A/61/23), which provided detailed information on the Committee's activities and projections for its future work as well as recommendations in the form of draft resolutions. During 2006, the Special Committee had continued to analyse developments in the 16 remaining Non-Self-Governing Territories and had benefited during its regular session in June from the participation of representatives from Non-Self-Governing Territories, two of the four administering Powers, France and New Zealand, as well as non-governmental organizations and experts. The report did not contain an account of the 2006 Pacific Seminar, which had been postponed due to difficulties in Timor-Leste. The Special Committee hoped that the seminar would take place in November 2006 and expressed its gratitude to Fiji for agreeing to host it.

3. In its report, the Special Committee stressed that the role of the administering Powers in ensuring progress towards decolonization could not be underestimated and noted the exemplary cooperation of New Zealand with regard to the self-determination of Tokelau whose referendum on self-determination had been held in February 2006. In that regard, he drew attention to the report of the United Nations Special Mission, contained in document A/AC.109/2006/20. With respect to the other administering Powers, while the report welcomed the cooperation of the United Kingdom in facilitating the United Nations Special Mission to the Turks and Caicos Islands in April 2006, it also indicated that the United Kingdom and the United States of America had not formally participated in the work of the Special Committee. The report underlined the importance of visiting missions to the Non-Self-Governing Territories as a means of providing and collecting information on the decolonization process. In that context, he drew attention to the report of the United Nations Special Mission to the Turks and Caicos Islands contained in document A/AC.109/2006/19.

4. **Mr. Severin** (Saint Lucia), speaking in his capacity as Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, recalled that at the opening session of the Special Committee in February 2006, Member States had recognized that the issue of decolonization had grown increasingly complex and that new and innovative measures were required. In view of that complexity, the resolutions adopted by the Special Committee had been drafted following extensive discussion and review of the available information and contained practical recommendations.

5. The Special Committee had taken a proactive approach to its mandate, undertaking a United Nations Special Mission to the Turks and Caicos Islands in April 2006 in order to engage in an interactive dialogue with the Government and people of that Territory. The specialized agencies and the international institutions

associated with the United Nations had played an important role in that Mission. The United Nations Development Programme (UNDP) had facilitated the participation of one of the leading experts on governance in order to provide substantive input. It was significant that certain responsibilities had been ceded by the administering Power to the elected Government in the Turks and Caicos Islands during 2006. In the case of the Pacific Territories, UNDP and the Electoral Assistance Division of the Department of Political Affairs had made an important contribution to the referendum held in Tokelau in 2006.

6. During the reporting period the Special Committee had implemented new operational procedures, providing chairman's summaries of key committee debates during sessions and increasing its collaboration with human rights bodies and United Nations bodies dealing with indigenous issues and racial discrimination. The Special Committee had requested that the Department of Public Information should intensify its efforts to disseminate information to the Territories because the lack of information in the Territories themselves remained an obstacle to the realization of self-determination. Furthermore, the Special Committee had called on the United Nations system to include the participation of the Territories in its work and had called for the successful implementation of the plan of action of the Second International Decade for the Eradication of Colonialism.

7. The Special Committee had called for the initiation of a case-by-case examination of each Territory, including the participation of the territorial Government, the administering Power and the United Nations. While the referendum that had been held in Tokelau on free association had not met the 66 per cent threshold, the ongoing consultation between the Government of New Zealand and the Special Committee was exemplary and should serve as a guide to other administering Powers which continued to resist the international dialogue that had been established by the United Nations. The Special Committee called on the Secretary-General to facilitate a dialogue between the Special Committee and the relevant administering Powers in order to carry out the case-by-case examinations.

8. A collaborative effort by the United Nations system, the administering Powers, the international community and the people of the Territories was required to implement the decolonization mandate. In view of that need for collaboration, the Chairman of the Special Committee had prepared a Plan of Implementation of the Decolonisation Mandate 2006-2007, which was contained in document A/60/853. The document organized the various initiatives that had been adopted by the General Assembly and identified the United Nations bodies that were responsible for working on those initiatives. The plan aimed to provide for independent expertise in order to carry out a critical and comprehensive analysis of the situation on the ground in the various Territories. The challenges faced in completing the decolonization process were not insurmountable, provided that the General Assembly took the step of promoting the implementation of resolutions on decolonization which had been recommended by the Special Committee. It was only through implementation of those resolutions that the United Nations could fulfil its mandate to ensure the decolonization of the remaining 16 territories.

9. **Mr. Elsherbini** (Egypt), noting the pivotal role of the United Nations in the decolonization process, said that more work needed to be done to ensure the right of all Territories to freedom, independence and self-determination. To achieve that goal, all Member States must fully commit themselves to eliminating colonization and providing assistance to Non-Self-Governing Territories in accordance with the Charter of the United Nations, the Declaration on Decolonization and the Universal Declaration of Human Rights. The eradication of colonialism continued to be one of the priorities of the United Nations and it was important to affirm the right of people under colonial rule to pursue self-determination. Communication and the exchange of views between the Special Committee, the Department of Political Affairs and the Department of Public Information should be strengthened, with a view to disseminating information about the role of the United Nations in the decolonization process.

10. It was important to enhance the effectiveness of the visiting missions, given that they represented a vital tool for understanding the socio-political situation of the Non-Self-Governing Territories and the aspirations of the people of those Territories. Under Article 73 *e* of the Charter of the United Nations, the administering Powers were required to provide the Special Committee with information relating to the territory under their administration. All Territories had a right to utilize their natural resources to their own

benefit and to protect their cultural heritage. Any attempt by an administering Power to control or use those resources should be a matter of concern to the Special Committee. The United Nations should strengthen its efforts aimed at achieving the economic and social development of the Non-Self-Governing Territories and the decolonization process required continued work. His delegation was committed to supporting all efforts aimed at eradicating colonialism and looked forward to the day when the Palestinian people would be in a position to establish its own independent sovereign State.

11. **Mr. Talbot** (Guyana), speaking on behalf of the Rio Group, said that the Rio Group reaffirmed its support for the Second International Decade for the Eradication of Colonialism and called upon the administering Powers to adopt the necessary measures for the decolonization of each of the remaining Non-Self-Governing Territories, taking into account their particular characteristics. The Rio Group firmly supported the activities carried out by the Special Committee, in particular the annual assessment of the political, economic and social situation in each of the Territories, the holding of seminars in the Pacific and Caribbean regions, the visiting missions and the annual recommendations put forward to the General Assembly. It also welcomed the Special Committee's report (A/61/23) and believed that it was essential for the administering Powers and interested States to implement the report's recommendations without delay. The Rio Group attached great importance to the dissemination of information on decolonization and supported the work of the United Nations Department of Public Information.

12. The Rio Group considered it necessary for the Governments of the Argentine Republic and of the United Kingdom to resume negotiations to find a peaceful, just and definitive solution to the sovereignty dispute relating to the Falkland Islands (Malvinas), South Georgia (Georgias del Sur) and South Sandwich Islands (Sandwich del Sur) and the surrounding maritime areas in accordance with the relevant resolutions and declarations of the General Assembly, the Special Committee and the Organization of American States.

13. The Rio Group hoped the 2006 Pacific Regional Seminar would take place at the end of November with the participation of representatives of the Non-Self-Governing Territories. The Group also noted the progress made by Tokelau; it drew attention to the cooperation and collaboration provided by New Zealand as administering Power and invited others to follow suit. With regard to the small island Territories in the Caribbean and the Pacific, the international community must facilitate sustainable growth of their economies in order to advance the decolonization process according to the wishes of their peoples.

14. Concerning Western Sahara, the Rio Group reaffirmed the responsibility of the United Nations for ensuring the exercise by the Saharan people of their right to self-determination through a just, mutually acceptable and lasting solution. The Rio Group fully supported the efforts of the Secretary-General and his Personal Envoy to Western Sahara to find such a solution concerning the Territory and called on the parties to cooperate with the United Nations and with each other to put an end to the current deadlock.

15. **Ms. Núñez Mordoche** (Cuba) said that although the Second Decade for the Eradication of Colonialism was already past the midpoint, progress had been very limited. Indeed, the validity of decolonization efforts and the very existence of the Fourth Committee had been called into question. Decolonization must remain a priority for the United Nations. At its fourteenth Summit Conference of Heads of State or Government, held in Havana in September 2006, the Non-Aligned Movement reaffirmed its support for the Fourth Committee, urged United Nations Member States to accelerate the decolonization process and upheld the effective implementation of the Plan of Action for the Second International Decade for the Eradication of Colonialism. Cuba supported those positions and reaffirmed that the Fourth Committee should continue to be the forum for discussions on implementation of the decolonization process.

16. Her delegation was concerned that some administering Powers refused to cooperate fully with the Special Committee. The actions of the Special Committee and the good intentions of the vast majority of Member States were not enough to achieve the eradication of colonialism. The full support of the administering Powers was also required. In that connection, visiting missions were very successful in achieving the objectives of General Assembly resolution 1514 (XV) and must be carried out on a regular basis. Cuba wished to acknowledge New Zealand's open and cooperative stance and urged other administering Powers to follow its example.

17. The Special Committee had adopted a resolution recognizing the inalienable right of the Puerto Rican people to self-determination and independence. Her delegation accordingly hoped that the General Assembly would comprehensively review the question of Puerto Rico. She reaffirmed Cuba's support for the right of the Saharan people to self-determination and reiterated its unqualified support of the legitimate rights of Argentina in the dispute over the Malvinas Islands and called for the continuation of dialogue and cooperation to arrive at a just and definitive solution.

18. Cuba attached great importance to the dissemination of information on decolonization. In that connection, it welcomed the regional seminars of the Special Committee and was pleased to note that Fiji would host the upcoming Pacific Regional Seminar. Member States had a moral duty to contribute to granting educational opportunities to the inhabitants of Non-Self-Governing Territories. In spite of its limited resources, Cuba had granted scholarships to 620 students from Non-Self-Governing Territories. Unfortunately, only 58 Member States had offered such opportunities. She therefore called on Member States with greater economic capacity to contribute.

19. Cuba, along with 18 other countries, had sponsored a draft resolution entitled "Support to Non-Self-Governing Territories by the specialized agencies and international institutions associated with the United Nations", which had been adopted at the 2006 session of the Economic and Social Council. Only five agencies and specialized organizations of the United Nations system had returned substantive replies to the request for information about their activities with regard to carrying out assistance to Non-Self-Governing Territories. She urged the relevant agencies and organizations to implement assistance programmes without delay.

20. **Ms. Banks** (New Zealand) recalled that Tokelau had held a referendum on self-government in free association with New Zealand from 11 to 15 February 2006. The votes in favour had fallen short of the two-thirds majority required; however, while disappointed with the outcome of the referendum, Tokelau's political leadership remained committed to the objective of self-government and had held a series of meetings to consider the referendum results and decide on Tokelau's future course of action. It had asked the Government of New Zealand to keep the current draft constitution and draft treaties on the table and New Zealand had agreed. Indeed, New Zealand considered this first referendum as one step towards self-determination. Tokelau had recently indicated that it would schedule a second referendum in November 2007. New Zealand would continue to work closely with the people of Tokelau on their path to self-determination.

21. **Mr. Tarragô** (Brazil), speaking on behalf of the Southern Common Market (MERCOSUR) member States and associated States expressed support for the statement made by the representative of Guyana on behalf of the Rio Group. The question of the Malvinas Islands had been described by resolutions of the General Assembly and the Special Committee as a special and particular colonial question, because the United Kingdom had occupied the lands by force in 1833, expelling their inhabitants and the Argentine authorities established there and replacing them with settlers of British descent. Moreover, in General Assembly resolution 2065 (XX), approved by a large majority, and in many other resolutions, the matter was defined as a dispute between the Governments of Argentina and the United Kingdom concerning sovereignty over the Islands, which had to be resolved through negotiations between the two States, bearing in mind the provisions and objectives of the Charter of the United Nations and of General Assembly resolution 1514 (XV). Furthermore, General Assembly resolution 2065 (XX) explicitly stated that the two parties had to bear in mind the interests of the population of the Malvinas Islands, which excluded the application of the principle of self-determination.

22. The MERCOSUR member States and associated States fully supported the work of the Special Committee to eradicate colonialism, an important part of which was the dissemination of information to promote the objectives of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to publicize United Nations and the Special Committee's activities in that connection and to raise awareness on the issue. It also welcomed the draft resolution on the question of the Falkland Islands (Malvinas) adopted by the Special Committee on 15 June 2006.

23. The MERCOSUR member States and associated States fully supported the principle of self-determination, but considered that it was applicable to subjugated peoples, as specified in General Assembly resolution 1514 (XV), but not to the descendants of a

non-indigenous population, which was in line with the rejection by the General Assembly in 1985 of proposals to include the principle of self-determination in the draft resolution on the question of the Falkland Islands (Malvinas). The principle that was applicable to the issue was the principle of territorial integrity, as laid down in General Assembly resolution 1514 (XV). Lastly, the MERCOSUR countries wished to call the attention of the Committee to a joint press release of the Presidents of MERCOSUR and associated States issued in Córdoba, Argentina, on 21 July 2006 at the XXX Council of the Common Market, which reaffirmed the Declaration on the Malvinas Islands approved at the tenth meeting of the Presidents of MERCOSUR, Bolivia and Chile on 25 June 1996, reaffirming their support for the legitimate rights of the Argentine Republic in the sovereignty dispute and expressing the hope that the dispute would be resolved promptly, in accordance with the resolutions of the United Nations and of the Organization of American States.

Requests for hearings

24. **The Chairman** said he took it that the Committee wished to grant the requests for hearings related to the question of Gibraltar, contained in documents A/C.4/61/2.

25. *It was so decided.*

26. **The Chairman** said he took it that the Committee wished to grant the requests for hearings related to the question of Guam, contained in documents A/C.4/61/3 and Add. 1 to 5.

27. *It was so decided.*

28. **The Chairman** said he took it that the Committee wished to grant the requests for hearings related to the question of Western Sahara, contained in documents A/C.4/61/4 and Add. 1 to 35.

29. *It was so decided.*

30. **The Chairman** said he took it that the Committee wished to grant the requests for hearings related to the question of New Caledonia, contained in document A/C.4/61/4.

31. *It was so decided.*

Right of reply

32. **Ms. Alam** (United Kingdom), speaking in exercise of the right of reply, in response to remarks made by the representatives of Guyana, Cuba and Brazil on the issue of sovereignty of the Falkland Islands, said that the United Kingdom's position on the issue was well known and had been set out in detail by the Permanent Representative of the United Kingdom to the United Nations in a letter to the Secretary-General on 27 April 2006. The United Kingdom had no doubts about its sovereignty over the Falkland Islands. There could be no negotiations on the sovereignty of the Falkland Islands unless and until such time as the islanders so wished.

The meeting rose at 4.30 p.m.